

CHAPTER 33-24-03 STANDARDS FOR GENERATORS

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33-24-03-01. Scope and applicability. This chapter establishes standards for generators of hazardous waste.

1. Subsections 3 and 4 of section 33-24-02-05 must be used to determine the applicability of provisions of this chapter that are dependent on calculations of the quantity of hazardous waste generated per month.
2. A generator who treats, stores, or disposes of hazardous waste onsite must only comply with the following sections of this chapter with respect to that waste: Section 33-24-03-02 for determining whether or not the generator has a hazardous waste, section 33-24-03-03 for obtaining an identification number, section 33-24-03-12 for accumulation of hazardous waste, subsections 3 and 4 of section 33-24-03-13 for recordkeeping, section 33-24-03-16 for additional reporting and if applicable, section 33-24-03-40 for farmers.
3. Any person who exports or imports hazardous waste into the United States through this state must comply with the standards applicable to generators established in this chapter.
4. A farmer who generates waste pesticides which are hazardous waste and who complies with all the requirements of section 33-24-03-40 is not required to comply with other standards in chapters 33-24-03 through 33-24-06 with respect to such pesticides.
5. A person who generates a hazardous waste as defined in chapter 33-24-02 is subject to the compliance requirements and penalties prescribed in North Dakota Century Code chapter 23-20.3 if the person does not comply with the requirements of this chapter.
6. An owner or operator who initiates a shipment of hazardous waste from a treatment, storage, or disposal facility must comply with the generator standards established in this chapter.
7. Persons responding to an explosives or munitions emergency in accordance with subparagraph d of paragraph 1 of subdivision g of subsection 6 of section 33-24-05-01 or paragraph 4 of subdivision g of subsection 6 of section 33-24-05-01 or 40 CFR 265.1(c)(11)(i)(D) or (iv) as incorporated by reference at subsection 5 of section 33-24-06-16, and item 4 of subparagraph a and subparagraph c of paragraph 9 of subdivision b of subsection 2 of section 33-24-06-01, are not required to comply with the standards of chapter 33-24-03.

Note 1: The provisions of section 33-24-03-12 are applicable to the onsite accumulation of hazardous waste by generators. Therefore, the provisions of section 33-24-03-12 only apply to owners or operators who are shipping hazardous waste that they generated at that facility.

Note 2: A generator who treats, stores, or disposes of hazardous waste onsite must comply with the applicable standards and permit requirements set forth in chapters 33-24-05 and 33-24-06.

History: Effective January 1, 1984; amended effective December 1, 1988; January 1, 1994; July 1, 1997; December 1, 2003.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-02. Hazardous waste determination. A person who generates a solid waste as defined in section 33-24-02-02 must determine if that waste is a hazardous waste using the following method:

1. The person should first determine if the waste is excluded from regulation under section 33-24-02-04;
2. The person must then determine if the waste is listed as a hazardous waste in chapter 33-24-02; and
3. For purposes of compliance with sections 33-24-05-250 through 33-24-05-299, or if the waste is not listed in sections 33-24-02-15 through 33-24-02-18, the generator must then determine whether the waste is identified in sections 33-24-02-10 through 33-24-02-14 by either:
 - a. Testing the waste according to the methods set forth in chapter 33-24-02 or an equivalent method as approved by the department; or
 - b. Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.
 - c. All waste analysis pursuant to subdivision a must be conducted by a laboratory approved by the department's certification procedures.
4. If the waste is determined to be hazardous, the generator must refer to chapters 33-24-02 and 33-24-05 for possible exclusions or restrictions pertaining to management of the generator's specific waste.

History: Effective January 1, 1984; amended effective December 1, 1988; December 1, 1991; January 1, 1994; July 1, 1997.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-03. Identification number and registration certificate.

1. A generator may not treat, store, dispose of, transport, or offer for transportation hazardous waste without having received an identification number and a registration certificate from the department.

2. A generator who has not received an identification number and a registration certificate may obtain one by applying to the department. Upon receiving the request the department will assign an identification number and issue a registration certificate to the generator.
3. A generator may not offer the generator's hazardous waste to transporters that have not received an identification number and a transporter permit, or to treatment, storage, or disposal facilities that have not received an identification number and applied for a permit.
4. The department may assess and collect reasonable fees for the issuance of registration certificates.

History: Effective January 1, 1984; amended effective December 1, 2003.

General Authority: NDCC 23-20.3-03, 23-20.3-05.1

Law Implemented: NDCC 23-20.3-03, 23-20.3-04, 23-20.3-05.1

33-24-03-04. General requirements of the manifest.

1. A generator who transports, or offers for transportation, hazardous waste for offsite treatment, storage, or disposal must prepare a uniform hazardous waste manifest, environmental protection agency form 8700-22, and if necessary, environmental protection agency form 8700-22a, according to instructions included in appendix I to this chapter.
2. A generator must designate on the manifest one facility which is permitted to handle the waste described on the manifest.
3. A generator may also designate on the manifest one alternate facility which is permitted to handle the generator's waste in the event an emergency prevents delivery of the waste to the primary designated facility.
4. If the transporter is unable to deliver the hazardous waste to the designated facility or the alternate facility, the generator must either designate another facility or instruct the transporter to return the waste.
5. The requirements of sections 33-24-03-04 through 33-24-03-07 do not apply to hazardous waste produced by generators of greater than one hundred kilograms but less than one thousand kilograms in a calendar month where:
 - a. The waste is reclaimed under a contractual agreement pursuant to which:
 - (1) The type of waste and frequency of shipments are specified in the agreement; and

- (2) The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste; and
 - b. The generator maintains a copy of the reclamation agreement in the generator's files for a period of at least three years after termination or expiration of the agreement.
6. The requirements of sections 33-24-03-04 through 33-24-03-07 and subsection 2 of section 33-24-03-10 do not apply to the transport of hazardous wastes on a public or private right of way within or along the border of contiguous property under the control of the same person, even if such contiguous property is divided by a public or private right of way. Notwithstanding subsection 1 of section 33-24-04-01, the generator or transporter must comply with the requirements for transporters set forth in sections 33-24-04-07 and 33-24-04-08 in the event of a discharge of hazardous waste on a public or private right of way.

History: Effective January 1, 1984; amended effective October 1, 1986; December 1, 1988; December 1, 2003.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-05. Acquisition of manifests.

1. If the state to which the shipment is manifested (consignment state) supplies the manifest and requires its use, then the generator must use that manifest.
2. If the consignment state does not supply the manifest, then the generator may obtain the manifest from any source.

History: Effective January 1, 1984; amended effective October 1, 1986.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-06. Number of copies of the manifest. The manifest must consist of at least the number of copies which will provide the generator, each transporter, and the owner or operator of the designated facility with one copy each for their records and another copy to be returned to the generator.

History: Effective January 1, 1984.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-07. Use of the manifest.

1. The generator must:

- a. Sign the manifest certification by hand;
 - b. Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest; and
 - c. Retain one copy, in accordance with subsection 1 of section 33-24-03-13.
2. The generator must give the transporter the remaining copies of the manifest.
3. For shipments of hazardous waste within the United States solely by water (bulk shipments only), the generator must send three copies of the manifest dated and signed in accordance with this section to the owner or operator of the designated facility or the last water (bulk shipment) transporter to handle the waste in the United States if exported by water. Copies of the manifest are not required for each transporter.
4. For rail shipments of hazardous waste within the United States which originate at the site of generation, the generator must send at least three copies of the manifest dated and signed in accordance with this section to:
 - a. The next nonrail transporter, if any;
 - b. The designated facility if transported solely by rail; or
 - c. The last rail transporter to handle the waste in the United States if exported by rail.
5. For shipments of hazardous waste to a designated facility in an authorized state which has not yet obtained authorization to regulate that particular waste as hazardous, the generator must assure that the designated facility agrees to sign and return the manifest to the generator, and that any out-of-state transporter signs and forwards the manifest to the designated facility.

History: Effective January 1, 1984; amended effective December 1, 1988; December 1, 1991.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-08. Packaging. Before transporting hazardous waste or offering hazardous waste for transportation offsite, a generator must package the waste

in accordance with the applicable department of transportation regulations on packaging under 49 CFR parts 173, 178, and 179.

History: Effective January 1, 1984.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-09. Labeling. Before transporting or offering hazardous waste for transportation offsite, a generator must label each package in accordance with the applicable department of transportation regulations on hazardous materials under 49 CFR part 172.

History: Effective January 1, 1984.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-10. Marking.

1. Before transporting or offering hazardous waste for transportation offsite, a generator must mark each package of hazardous waste in accordance with the applicable department of transportation regulations on hazardous materials under 49 CFR part 172.
2. Before transporting hazardous waste or offering hazardous waste for transportation offsite, a generator must mark each container of one hundred ten gallons [416.40 liters] or less used in such transportation with the following words and information displayed in accordance with the requirements of 49 CFR part 172.304:

HAZARDOUS WASTE - Federal Law prohibits improper disposal.
If found, contact the nearest police or public safety authority or the
U.S. Environmental Protection Agency.

Generator Name and Address _____.

Manifest Document Number _____.

History: Effective January 1, 1984.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-11. Placarding. Before transporting hazardous waste or offering hazardous waste for transportation offsite, a generator must placard or offer the initial transporter the appropriate placards according to department

of transportation regulations for hazardous materials under 49 CFR part 172, subpart F.

History: Effective January 1, 1984.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-12. Accumulation time.

1. Except as provided in subsections 4, 5, and 6, a generator may accumulate hazardous waste onsite for ninety days or less without a permit or without having interim status provided that:
 - a. The waste is placed:
 - (1) In containers and the generator complies with sections 33-24-05-89 through 33-24-05-102 and sections 33-24-05-400 through 33-24-05-474;
 - (2) In tanks and the generator complies with sections 33-24-05-103 through 33-24-05-115 and sections 33-24-05-400 through 33-24-05-474, except subsection 3 of section 33-24-05-110 and section 33-24-05-113;
 - (3) On drip pads and the generator complies with sections 33-24-05-501 through 33-24-05-524 and maintains the following records at the facility:
 - (a) A description of procedures that will be followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every ninety days; and
 - (b) Documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal; or
 - (4) In containment buildings and the generator complies with sections 33-24-05-475 through 33-24-05-500 and has placed its professional engineer certification that the building complies with the design standards specified in section 33-24-05-476 in the facility's operating record no later than sixty days after the date of initial operation of the unit. After February 18, 1993, professional engineer certification will be required prior to operation of the unit. The owner or operator shall maintain the following records at the facility:

- (a) A written description of procedures to ensure that each waste volume remains in the unit for no more than ninety days, a written description of the waste generation and management practices for the facility showing that they are consistent with respecting the ninety-day limit, and documentation that the procedures are complied with; or
- (b) Documentation that the unit is emptied at least once every ninety days.

In addition, such a generator is exempt from all the requirements in sections 33-24-05-59 through 33-24-05-88, except for sections 33-24-05-60 and 33-24-05-63;

- b. The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
 - c. While being accumulated onsite, each container and tank is properly labeled or marked with the words "Hazardous Waste"; and
 - d. The generator complies with the requirements for owners or operators in sections 33-24-05-15 through 33-24-05-36, with section 33-24-05-07, and with subdivision e of subsection 1 of section 33-24-05-256.
- 2. A generator who accumulates hazardous waste for more than ninety days is an operator of a storage facility and is subject to the requirements of chapter 33-24-05 and the permit requirements of chapter 33-24-06, unless the generator has been granted an extension to the ninety-day period. Such extension may be granted by the department if hazardous wastes must remain onsite for longer than ninety days due to unforeseen, temporary, and uncontrollable circumstances. An extension may be granted at the discretion of the department on a case-by-case basis.
 - 3. A generator may accumulate as much as fifty-five gallons of hazardous waste or one quart of acutely hazardous waste listed in subsection 5 of section 33-24-02-18 in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with subsection 1 provided the operator:
 - a. Complies with sections 33-24-05-90, 33-24-05-91, and subsection 1 of section 33-24-05-92; and

- b. Marks the operator's containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.
- 4. A generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month may accumulate hazardous waste onsite for one hundred eighty days or less without a permit or without having interim status provided that:
 - a. The quantity of waste accumulated onsite never exceeds six thousand kilograms;
 - b. The generator complies with requirements of sections 33-24-05-89 through 33-24-05-102, except sections 33-24-05-95 and 33-24-05-98;
 - c. The generator complies with the requirements of section 33-24-05-114;
 - d. The generator complies with the requirements of subdivisions b and c of subsection 1, sections 33-24-05-12 through 33-24-05-21, and the requirements of subdivision e of subsection 1 of section 33-24-05-256; and
 - e. The generator complies with the following requirements:
 - (1) At all times there must be at least one employee either on the premises or on call (for example, available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all the emergency response measures specified in paragraph 4 of subdivision e of subsection 4. This employee is the emergency coordinator.
 - (2) The generator shall post the following information next to the telephone:
 - (a) The name and telephone number of the emergency coordinator;
 - (b) Location of fire extinguishers and spill control material and, if present, fire alarm; and
 - (c) The telephone number of the fire department, unless the facility has a direct alarm.
 - (3) The generator shall ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies;

- (4) An emergency coordinator or emergency coordinator's designee shall respond to any emergency that arises. The applicable responses are as follows:
 - (a) In the event of a fire, call the fire department or attempt to extinguish it using a fire extinguisher;
 - (b) In the event of a spill, contain the flow of hazardous waste to the extent possible, and as soon as is practicable, clean up the hazardous waste and any contaminated materials or soil; and
 - (c) In the event of a fire, explosion, or other release which could threaten human health outside the facility, or when the generator has knowledge that a spill has reached surface water, the generator shall immediately notify the national response center using their twenty-four-hour toll-free number 1-800-424-8802. The report must include the following information:
 - [1] The name, address, and identification number of the generator;
 - [2] Date, time, and type of incident (for example, spill or fire);
 - [3] Quantity and type of hazardous waste involved in the incident;
 - [4] Extent of injuries, if any; and
 - [5] Estimated quantity and disposition of recovered materials, if any.
- 5. A generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month and who must transport the waste, or offer the waste for transportation, over a distance of two hundred miles or more for offsite treatment, storage, or disposal may accumulate hazardous waste onsite for two hundred seventy days or less without a permit or without having interim status provided the generator complies with the requirements of subsection 4.
- 6. A generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month and who accumulates hazardous waste in quantities exceeding six thousand kilograms or accumulates hazardous waste for more than one hundred eighty days (or for more than two hundred seventy days if the generator shall transport the waste or offer the waste

for transportation, over a distance of two hundred miles [321.87 kilometers] or more) is an operator of a storage facility and is subject to the requirements of chapter 33-24-05 and the permit requirements of chapter 33-24-06 unless the generator has been granted an extension to one hundred eighty days (or two hundred seventy days if applicable). Such extension may be granted by the department if hazardous waste must remain onsite for longer than one hundred eighty days (or two hundred seventy days if applicable) due to unforeseen, temporary, and uncontrollable circumstances. An extension may be granted at the discretion of the department on a case-by-case basis.

7. A generator who generates one thousand kilograms or greater of hazardous waste per calendar month who also generates wastewater treatment sludges from electroplating operations that meet the listing description for the hazardous waste code F006, may accumulate F006 waste onsite for more than ninety days, but not more than one hundred eighty days without a permit or without having interim status provided that:
 - a. The generator has implemented pollution prevention practices that reduce the amount of any hazardous substances, pollutants, or contaminants entering F006 or otherwise released to the environment prior to its recycling;
 - b. The F006 waste is legitimately recycled through metals recovery;
 - c. No more than twenty thousand kilograms of F006 waste is accumulated onsite at any one time; and
 - d. The F006 waste is managed in accordance with the following:
 - (1) The F006 waste is placed:
 - (a) In containers and the generator complies with the applicable requirements of sections 33-24-05-89 through 33-24-05-102 and sections 33-24-05-400 through 33-24-05-474;
 - (b) In tanks and the generator complies with the applicable requirements of sections 33-24-05-103 through 33-24-05-117 and sections 33-24-05-400 through 33-24-05-474, except for subsection 3 of section 33-24-05-110 and section 33-24-05-113;
 - (c) In containment buildings and the generator complies with sections 33-24-05-475 through 33-24-05-500, and has placed its professional engineer certification that the building complies with the design standards specified in section 33-24-05-476 in the facility's

operating record prior to operation of the unit. The owner or operator must maintain the following records at the facility:

[1] A written description of procedures to ensure that the F006 waste remains in the unit for no more than one hundred eighty days, a written description of the waste generation and management practices for the facility showing that they are consistent with the one-hundred-eighty-day limit, and documentation that the generator is complying with the procedures; or

[2] Documentation that the unit is emptied at least once every one hundred eighty days.

(d) Or any combination of subparagraphs a, b, and c, as applicable;

(2) In addition, such a generator is exempt from all the requirements in sections 33-24-05-59 through 33-24-05-88, except for sections 33-24-05-60 and 33-24-05-63;

(3) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;

(4) While being accumulated onsite, each container and tank is labeled or marked clearly with the words, "Hazardous Waste"; and

(5) The generator complies with the requirements for owners or operators in sections 33-24-05-15 through 33-24-05-36, with section 33-24-05-07, and with subdivision e of subsection 1 of section 33-24-05-256.

8. A generator who generates one thousand kilograms or greater of hazardous waste per calendar month who also generates wastewater treatment sludges from electroplating operations that meet the listing description for the hazardous waste code F006, and who must transport this waste, or offer this waste for transportation, over a distance of two hundred miles [321.87 kilometers] or more for offsite metals recovery, may accumulate F006 waste onsite for more than ninety days, but not more than two hundred seventy days without a permit or without having interim status if the generator complies with the requirements of subdivisions a through d of subsection 7.

9. A generator accumulating F006 waste in accordance with subsections 7 and 8 who accumulates F006 waste onsite for more than one hundred

eighty days (or for more than two hundred seventy days if the generator must transport this waste, or offer this waste for transportation, over a distance of two hundred miles [321.87 kilometers] or more), or who accumulates more than twenty thousand kilograms of F006 waste onsite is an operator of a storage facility and is subject to the requirements of sections 33-24-05-01 through 33-24-05-190, 33-24-05-300 through 33-24-05-524, and 33-24-05-550 through 33-24-05-599, and the permit requirements of chapter 33-24-06 unless the generator has been granted an extension to the one hundred eighty day (or two hundred seventy day if applicable) period or an exception to the twenty thousand kilogram accumulation limit. Such extensions and exceptions may be granted by the department if F006 waste must remain onsite for longer than one hundred eighty days (or two hundred seventy days if applicable) or if more than twenty thousand kilograms of F006 waste must remain onsite due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to thirty days or an exception to the accumulation limit may be granted at the discretion of the department on a case-by-case basis.

History: Effective January 1, 1984; amended effective October 1, 1986; December 1, 1988; December 1, 1991; January 1, 1994; July 1, 1997; December 1, 2003.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-13. Recordkeeping.

1. A generator must keep a copy of each manifest signed in accordance with subsection 1 of section 33-24-03-07 for three years or until the generator receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.
2. A generator must keep a copy of each biennial report and exception report for a period of at least three years from the due date of the report, March first of each even-numbered year.
3. A generator must keep records of any test results, waste analyses, or other determinations made in accordance with section 33-24-03-02 for at least three years from the date the waste was last sent to onsite or offsite treatment, storage, or disposal.

4. The periods for retention referred to in this section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the department.

History: Effective January 1, 1984; amended effective July 1, 1997; December 1, 2003.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-14. Biennial reporting.

1. A generator who ships any hazardous waste offsite to a treatment, storage, or disposal facility within the United States shall prepare and submit a single copy of a biennial report to the department by March first of each even-numbered year. The biennial report must be submitted on department-approved forms, must cover generator activities during the previous calendar year, and must include the following information:
 - a. The identification number, name, and address of the generator;
 - b. The calendar year covered by the report;
 - c. The identification number, name, and address for each offsite treatment, storage, or disposal facility in the United States to which waste was shipped during the year;
 - d. The name and identification number of each transporter used during the reporting year for shipments to a treatment, storage, or disposal facility within the United States;
 - e. A description, hazardous waste number (from chapter 33-24-02), department of transportation hazard class, and quantity of each hazardous waste shipped offsite for shipments to a treatment, storage, or disposal facility within the United States. This information must be listed by identification number of each such offsite facility to which waste was shipped;
 - f. A description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated;
 - g. A description of the changes in volume and toxicity of waste actually achieved during the year in comparison to the previous year to the extent such information is available for years prior to 1984; and
 - h. The certification signed by the generator or authorized representative.

2. Any generator who treats, stores, or disposes of hazardous waste onsite must submit a biennial report covering those wastes in accordance with the provisions of chapters 33-24-05 and 33-24-06.
3. Reporting for exports of hazardous waste is not required on the annual report form. A separate annual report requirement is set forth in section 33-24-03-23.

History: Effective January 1, 1984; amended effective October 1, 1986; December 1, 1988; July 1, 1997.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-15. Exception reporting.

1. A generator of greater than one thousand kilograms of hazardous waste in a calendar month who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within thirty-five days of the date the waste was accepted by the initial transporter shall contact the transporter or the owner or operator, or both, of the designated facility to determine the status of the hazardous waste.
2. A generator of greater than one thousand kilograms of hazardous waste in a calendar month must submit an exception report to the department if the generator has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within forty-five days of the date the waste was accepted by the initial transporter. The exception report must be submitted to the department within sixty days of the date the waste was accepted by the initial transporter and must include:
 - a. A legible copy of the manifest for which the generator does not have confirmation of delivery; and
 - b. A cover letter signed by the generator or the generator's authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.
3. A generator who generates greater than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within sixty days of the date the waste was accepted by the initial transporter shall

submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the department.

History: Effective January 1, 1984; amended effective December 1, 1988; December 1, 1991.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-16. Additional reporting.

1. A generator of greater than one thousand kilograms of hazardous waste in a calendar month who makes an offsite shipment of hazardous waste shall send to the department a legible copy of the signed manifest or shipping paper within twenty-one days of the date:
 - a. When first signed by the generator and transporter; and
 - b. As signed by and received from the designated facility or alternate facility.
2. The department, as it deems necessary, may require generators to furnish additional reports concerning the quantities and disposition of wastes identified or listed in this article.

History: Effective January 1, 1984; amended effective October 1, 1986; December 1, 1988.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-17. Exports of hazardous waste. Sections 33-24-03-17 through 33-24-03-25 establish requirements applicable to exports of hazardous waste. Except to the extent section 33-24-03-25 provides otherwise, a primary exporter of hazardous waste shall comply with the special requirements of these sections and a transporter transporting hazardous waste for export shall comply with applicable requirements of chapter 33-24-04. 40 CFR 262.58 sets forth the requirements of international agreements between the United States and receiving countries which establish different notice, export, and enforcement procedures for the transportation, treatment, storage, and disposal of hazardous waste for shipments between the United States and those countries are set forth in 40 CFR 262.58.

History: Effective January 1, 1984; amended effective October 1, 1986; December 1, 1988; July 1, 1997.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-18. Definitions. In addition to the definitions set forth in section 33-24-01-04, the following definitions apply to sections 33-24-03-17 through 33-24-03-25:

1. "Consignee" means the ultimate treatment, storage, or disposal facility in a receiving country to which the hazardous waste will be sent.
2. "Environmental protection agency acknowledgment of consent" means the cable sent to the environmental protection agency from the United States embassy in a receiving country that acknowledges the written consent of the receiving country to accept the hazardous waste and describes the terms and conditions of the receiving country's consent to the shipment.
3. "Primary exporter" means any person who is required to originate the manifest for a shipment of a hazardous waste in accordance with chapter 33-24-03, which specifies a treatment, storage, or disposal facility in a receiving country as the facility to which the hazardous waste will be sent and any intermediary arranging for the export.
4. "Receiving country" means a foreign country to which a hazardous waste is sent for the purpose of treatment, storage, or disposal (except short-term storage incidental to transportation).
5. "Transit country" means any foreign country, other than a receiving country, through which a hazardous waste is transported.

History: Effective January 1, 1984; amended effective December 1, 1988.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-19. General requirements. Exports of hazardous wastes are prohibited except in compliance with the applicable requirements of sections 33-24-03-17 through 33-24-03-25 and chapter 33-24-04. Exports of hazardous waste are prohibited unless:

1. Notification in accordance with section 33-24-03-20 has been provided;
2. The receiving country has consented to accept the hazardous waste;
3. A copy of the environmental protection agency acknowledgment of consent to the shipment accompanies the hazardous waste shipment and, unless exported by rail, is attached to the manifest (or shipping paper for exports by water (bulk shipment)); and
4. The hazardous waste shipment conforms to the terms of the receiving country's written consent as reflected in the environmental protection agency acknowledgment of consent.

History: Effective December 1, 1988.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-20. Notification of intent to export.

1. A primary exporter of hazardous waste shall notify the department and the environmental protection agency of an intended export before such waste is scheduled to leave the United States. A complete notification should be submitted sixty days before the initial shipment is intended to be shipped offsite. This notification may cover export activities extending over a twelve-month or lesser period. The notification must be in writing, signed by the primary exporter, and include the following information:
 - a. Name, mailing address, telephone number, and identification number of the primary exporter; and
 - b. By consignee, for each hazardous waste type:
 - (1) A description of the hazardous waste and hazardous waste number (from chapter 33-24-02), United States department of transportation proper shipping name, hazard class, and identification number (UN/NA) for each hazardous waste as identified in 49 CFR part 171-177;
 - (2) The estimated frequency or rate at which such waste is to be exported and the period of time over which such waste is to be exported;
 - (3) The estimated total quantity of the hazardous waste in units as specified in instructions to the uniform hazardous waste manifest form (8700-22);
 - (4) All points of entry to and departure from each foreign country through which the hazardous waste will pass;
 - (5) A description of the means by which each shipment of the hazardous waste will be transported (for example, mode of transportation vehicle (air, highway, rail, water, etc.)), types of container (drums, boxes, tanks, etc.);
 - (6) A description of the manner in which the hazardous waste will be treated, stored, or disposed of in the receiving country (for example, land or ocean, incineration, other land disposal, ocean dumping, recycling);
 - (7) The name and site address of the consignee and any alternate consignee; and
 - (8) The name of any transit countries through which the hazardous waste will be sent and a description of the

approximate length of time the hazardous waste will remain in such country and the nature of its handling while there.

2. Notification must be sent to the department and to the following mailing address: Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting, and Data Division (2222A), Environmental Protection Agency, 401 M Street SW, Washington, D.C. 20460. Hand-delivered notifications should be sent to Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting, and Data Division (2222A), Environmental Protection Agency, Ariel Rios Building, 12 Street and Pennsylvania Avenue NW., Washington, D.C. In both cases, the following shall be prominently displayed on the front of the envelope: "Attention: Notification of Intent to Export".
3. Except for changes to the telephone number in subdivision a of subsection 1, changes to paragraph 5 of subdivision b of subsection 1, and decreases in the quantity indicated pursuant to paragraph 3 of subdivision b of subsection 1 when the condition specified on the original notification change (including any exceedance of the estimate of the quantity of hazardous waste specified in the original notification), the primary exporter shall provide the department and the environmental protection agency with a written notification of the change. The shipment cannot take place until consent of the receiving country to the changes (except for changes to paragraph 8 of subdivision b of subsection 1 and in the ports of entry to and departure from transit countries pursuant to paragraph 4 of subdivision b of subsection 1) has been obtained and the primary exporter receives an environmental protection agency acknowledgment of consent reflecting the receiving country's consent to the changes.
4. Upon request by the department or the environmental protection agency, a primary exporter shall furnish to the department or the environmental protection agency any additional information which a receiving country requests in order to respond to a notification.
5. A notification is complete when the department receives a notification which the department determines satisfies the requirements of subsection 1 and the requirements of the environmental protection agency such that an environmental protection agency acknowledgment of consent is issued to the primary exporter.

6. The primary exporter shall provide the department with a copy of the environmental protection agency acknowledgment of consent prior to shipment offsite.

History: Effective December 1, 1988; amended effective January 1, 1994; July 1, 1997; December 1, 2003.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-21. Special manifest requirements. A primary exporter shall comply with the manifest requirements of sections 33-24-03-04 through 33-24-03-07 except that:

1. In lieu of the name, site address, and identification number of the designated permitted facility, the primary exporter shall enter the name and site address of the consignee;
2. In lieu of the name, site address, and identification number of a permitted alternate facility, the primary exporter may enter the name and site address of any alternate consignee;
3. In special handling instructions and additional information, the primary exporter shall identify the point of departure from the United States;
4. The following statement must be added to the end of the first sentence of the certification set forth in item 16 of the uniform hazardous waste manifest form "and conforms to the terms of the attached environmental protection agency acknowledgment of consent";
5. In lieu of the requirements of section 33-24-03-05, the primary exporter may obtain a manifest form from any source;
6. The primary exporter shall require the consignee to confirm in writing the delivery of the hazardous waste to that facility and to describe any significant discrepancies (as defined in subsection 1 of section 33-24-05-39) between the manifest and the shipment. A copy of the manifest signed by such facility may be used to confirm delivery of the hazardous waste;
7. In lieu of the requirements of subsection 4 of section 33-24-03-04, where a shipment cannot be delivered for any reason to the designated or alternate consignee, the primary exporter shall:
 - a. Renotify the state and the environmental protection agency of a change in the conditions of the original notification to allow shipment to a new consignee in accordance with subsection 3 of section 33-24-03-20 and obtain an environmental protection agency acknowledgment of consent prior to delivery; or

- b. Instruct the transporter to return the waste to the primary exporter in the United States or designate another facility within the United States; and
 - c. Instruct the transporter to revise the manifest in accordance with the primary exporter's instructions.
- 8. The primary exporter shall attach a copy of the environmental protection agency acknowledgment of consent to the shipment to the manifest which must accompany the hazardous waste shipment. For exports by rail or water (bulk shipments), the primary exporter shall provide the transporter with an environmental protection agency acknowledgment of consent which must accompany the hazardous waste but which need not be attached to the manifest except that for exports by water (bulk shipments) the primary exporter shall attach the copy of the environmental protection agency acknowledgment of consent to the shipping paper; and
- 9. The primary exporter shall provide the transporter with an additional copy of the manifest for delivery to the United States customs official at the point the hazardous waste leaves the United States in accordance with subdivision d of subsection 7 of section 33-24-04-04.

History: Effective December 1, 1988.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-22. Exception reports for exporters. In lieu of the requirements of section 33-24-03-15, a primary exporter shall file an exception report with the environmental protection agency administrator and department if:

- 1. The primary exporter has not received a copy of the manifest signed by the transporter stating the date and place of departure from the United States within forty-five days of the date it was accepted by the initial transporter; or
- 2. Within ninety days from the date the waste was accepted by the initial transporter, the primary exporter has not received written confirmation from the consignee that the hazardous waste was received; or
- 3. The waste is returned to the United States.

History: Effective December 1, 1988.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-23. Annual reports for exporters.

1. Primary exporters of hazardous waste shall file with the environmental protection agency administrator and department no later than March first of each year, a report summarizing the types, quantities, frequency, and ultimate destination of all hazardous waste exported during the previous calendar year. Such reports must include the following:
 - a. The identification number, name, mailing, and site address of the exporter;
 - b. The calendar year covered by the report;
 - c. The name and site address of each consignee;
 - d. By consignee, for each hazardous waste exported, a description of the hazardous waste, the hazardous waste number (from chapter 33-24-02), department of transportation hazard class, the name and identification number (where applicable) for each transporter used, the total amount of waste shipped, and number of shipments pursuant to each notification; and
 - e. Except for hazardous waste produced by exporters of greater than one hundred kilograms but less than one thousand kilograms in a calendar month unless provided pursuant to section 33-24-03-14 in even-numbered years:
 - (1) A description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated; and
 - (2) A description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for years prior to 1984.
 - f. A certification signed by the primary exporter which states: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.
2. Annual reports must be sent to the department and to the following address: Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting, and Data Division

(2222A), Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460.

History: Effective December 1, 1988; amended effective January 1, 1994; July 1, 1997.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-24. Recordkeeping.

1. For all exports a primary exporter shall:
 - a. Keep a copy of each notification of intent to export for a period of at least three years from the date the hazardous waste was accepted by the initial transporter;
 - b. Keep a copy of each environmental protection agency acknowledgment of consent for a period of at least three years from the date the hazardous waste was accepted by the initial transporter;
 - c. Keep a copy of each confirmation of delivery of the hazardous waste from the consignee for at least three years from the date the hazardous waste was accepted by the initial transporter; and
 - d. Keep a copy of each annual report for a period of at least three years from the due date of the report.
2. The periods of retention referred to in this section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the department.

History: Effective December 1, 1988.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-25. International agreements. [Reserved]

33-24-03-26. [Reserved]

33-24-03-27. [Reserved]

33-24-03-28. [Reserved]

33-24-03-29. [Reserved]

33-24-03-30. Imports of hazardous waste.

1. Any person who imports hazardous waste from a foreign country into the United States shall comply with the requirements of this chapter and the special requirements of this section.
2. When importing a hazardous waste, a person shall meet all the requirements of subsection 1 of section 33-24-03-04 for the manifest except that:
 - a. In place of the generator's name, address, and identification number, the name and address of the foreign generator and the importer's name, address, and identification number must be used.
 - b. In place of the generator's signature on the certification statement, the United States importer or his agent shall sign and date the certification and obtain the signature of the initial transporter.
3. A person who imports hazardous waste shall obtain the manifest form from the consignment state if the state supplies the manifest and requires its use. If the consignment state does not supply the manifest form, then the manifest form may be obtained from any source.

History: Effective December 1, 1988.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

33-24-03-31. [Reserved]

33-24-03-32. [Reserved]

33-24-03-33. [Reserved]

33-24-03-34. [Reserved]

33-24-03-35. [Reserved]

33-24-03-36. [Reserved]

33-24-03-37. [Reserved]

33-24-03-38. [Reserved]

33-24-03-39. [Reserved]

33-24-03-40. Farmers. A farmer disposing of waste pesticides from the farmer's own use which are hazardous wastes is not required to comply with the standards in this chapter or chapters 33-24-05 and 33-24-06 for those wastes provided the farmer triple rinses each emptied pesticide container in accordance

with subdivision a, b, or c of subsection 4 of section 33-24-02-07 and disposes of the pesticide residues on the farmer's own farm in a manner consistent with the disposal instructions on the pesticide label.

History: Effective December 1, 1988; amended effective December 1, 2003.

General Authority: NDCC 23-20.3-03

Law Implemented: NDCC 23-20.3-03, 23-20.3-04

APPENDIX I
UNIFORM HAZARDOUS WASTE MANIFEST AND INSTRUCTIONS
(Environmental Protection Agency Forms 8700-22 and 8700-22A and Their Instructions)

United States Environmental Protection Agency Form 8700-22

Read all instructions before completing this form.

This form has been designed for use on a 12-pitch (elite) typewriter; a firm point pen may also be used - press down hard.

State regulations require generators and transporters of hazardous waste and owners or operators of hazardous waste treatment, storage, and disposal facilities to use this form (8700-22) and, if necessary, the continuation sheet (form 8700-22A) for both interstate and intrastate transportation.

State regulations also require generators and transporters of hazardous waste and owners or operators of hazardous waste treatment, storage and disposal facilities to complete the following information:

* * * * *

State regulations under section 33-24-03-16 (additional reporting) requires the generator to provide the department with a signed copy of the manifest when first signed by the generator and transporter and as signed by and received from the designated facility or alternate facility.

* * * * *

GENERATORS

Item 1. Generator's state/environmental protection agency identification number - Manifest document number

Enter the generator's state/Environmental Protection Agency twelve-digit identification number and clear the unique five-digit number assigned to this manifest (for example, 00001) by the generator.

Item 2. Page 1 of ____

Enter the total number of pages used to complete this manifest, for example, the first page (Environmental Protection Agency Form 8700-22) plus the number of continuation sheets (Environmental Protection Agency Form 8700-22A), if any.

Item 3. Generator's name and mailing address

Enter the name and mailing address of the generator. The address should be the location that will manage the returned manifest items.

Item 4. Generator's telephone number

Enter a telephone number where an authorized agent of the generator may be reached in the event of any emergency.

Item 5. Transporter 1 company name

Enter the company name of the first transporter who will transport the waste.

Item 6. State/environmental protection agency identification number

Enter the state/Environmental Protection Agency twelve-digit identification number of the first transporter identified in item 5.

Item 7. Transporter 2 company name

If applicable, enter the company name of the second transporter who will transport the waste. If more than two transporters are used to transport the waste, use a continuation sheet(s) (Environmental Protection Agency Form 8700-22A) and list the transporters in the order they will be transporting the waste.

Item 8. State/environmental protection agency identification number

If applicable, enter the state/Environmental Protection Agency twelve-digit identification number of the second transporter identified in item 7.

Note. - If more than two transporters are used, enter each additional transporter's company name and state/Environmental Protection Agency twelve-digit identification number in items 24-27 on the continuation sheet (Environmental Protection Agency Form 8700-22A). Each continuation sheet has space to record two additional transporters. Every transporter used between the generator and the designated facility must be listed.

Item 9. Designated facility name and site address

Enter the company name and site address of the facility designated to receive the waste listed on this manifest. The address must be the site address, which may differ from the company mailing address.

Item 10. State/environmental protection agency identification number

Enter the state/Environmental Protection Agency twelve-digit identification number of the designated facility identified in item 9.

Item 11. United States department of transportation description [including proper shipping name, hazard class, and identification number (UN/NA)]

Enter the United States Department of Transportation Proper Shipping name, Hazard Class, and Identification Number (UN/NA) for each waste as identified in 49 CFR 171 through 177.

Note. - If additional space is needed for waste descriptions, enter these additional descriptions in item 28 on the continuation sheet (Environmental Protection Agency Form 8700-22A).

Item 12. Containers (Number and Type)

Enter the number of containers for each waste and the appropriate abbreviation from Table I (below) for the type of container.

Table I. Types of Containers

DM = Metal drums, barrels, kegs
DW = Wooden drums, barrels, kegs
DF = Fiberboard or plastic drums, barrels, kegs
TP = Tanks portable
TT = Cargo tanks (tank trucks)
TC = Tank cars
DT = Dump truck
CY = Cylinders
CM = Metal boxes, cartons, cases (including rollofs)
CW = Wooden boxes, cartons, cases
CF = Fiber or plastic boxes, cartons, cases
BA = Burlap, cloth, paper or plastic bags

Item 13. Total quantity

Enter the total quantity of waste described on each line.

Item 14. Unit (weight/volume)

Enter the appropriate abbreviation from Table II (below) for the unit of measure.

Table II. Units of Measure

G = Gallons (liquids only)
P = Pounds

T = Tons (2,000 pounds)
Y = Cubic yards
L = Liters (liquids only)
K = Kilograms
M = Metric tons (1,000 kilograms)
N = Cubic meters

Item 15. Special handling instructions and additional information

Generators may use this space to indicate special transportation treatment, storage, or disposal information or bill of lading information. States may not require additional, new, or different information in this space. For international shipments, generators must enter in this space the point of departure (city and state) for those shipments destined for treatment, storage, or disposal outside the jurisdiction of the United States.

Item 16. Generator's certification

The generator must read, sign (by hand), and date the certification statement. If a mode other than highway is used, the word "highway" should be lined out and the appropriate mode (rail, water, or air) inserted in the space below. If another mode in addition to the highway mode is used, enter the appropriate additional mode (for example, and rail) in the space below.

In signing the waste minimization certification statement, those generators who have not been exempted by statute or regulation from the duty to make a waste minimization certification are also certifying that they have complied with the waste minimization requirements.

Generators may preprint the words "on behalf of" in the signature block or may handwrite this statement in the signature block prior to signing the generator certifications.

Note. - All of the above information except the handwritten signature required in item 16 may be preprinted.

* * * * *

TRANSPORTERS

Item 17. Transporter 1 acknowledgment of receipt of materials

Enter the name of the person accepting the waste on behalf of the first transporter. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

Item 18. Transporter 2 acknowledgment of receipt of materials

Enter, if applicable, the name of the person accepting the waste on behalf of the second transporter. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

Note. - International shipments - Transporter responsibilities.

Exports - Transporters must sign and enter the date the waste left the United States in item 15 of Form 8700-22.

Imports - Shipments of hazardous waste regulated by Article 33-24 and transported into the United States from another country must upon entry be accompanied by the Uniform Hazardous Waste Manifest. Transporters who transport hazardous waste into the United States from another country are responsible for completing the manifest (Section 33-24-04-01).

OWNERS AND OPERATORS OF TREATMENT, STORAGE, OR DISPOSAL FACILITIES

Item 19. Discrepancy indication space

The authorized representative of the designated (or alternate) facility's owner or operator must note in this space any significant discrepancy between the waste described on the manifest and the waste actually received at the facility.

Owners and operators of facilities located in unauthorized states (for example, the United States Environmental Protection Agency administers the hazardous waste management program) who cannot resolve significant discrepancies within 15 days of receiving the waste must submit to their regional administrator (see list below) a letter with a copy of the manifest at issue describing the discrepancy and attempts to reconcile it (40 CFR 264.72 and 265.72).

Owners and operators of facilities located in authorized states (for example, those states that have received authorization from the United States Environmental Protection Agency to administer the hazardous waste program) should contact their state agency for information on state discrepancy report requirements.

Environmental Protection Agency Regional Administrators

Regional Administrator
United States Environmental Protection Agency
Region I, J. F. Kennedy Federal Building
Boston, MA 02203

Regional Administrator
United States Environmental Protection Agency
Region II, 26 Federal Plaza
New York, NY 10278

Regional Administrator
United States Environmental Protection Agency
Region III, 6th and Walnut Streets
Philadelphia, PA 19106

Regional Administrator
United States Environmental Protection Agency
Region IV, 345 Courtland Street NE
Atlanta, GA 30365

Regional Administrator
United States Environmental Protection Agency
Region V, 230 South Dearborn Street
Chicago, IL 60604

Regional Administrator
United States Environmental Protection Agency
Region VI, 1201 Elm Street
Dallas, TX 75270

Regional Administrator
United States Environmental Protection Agency
Region VII, 324 East Eleventh Street
Kansas City, MO 64106

Regional Administrator
United States Environmental Protection Agency
Region VIII, Denver Place, Suite 500
999 Eighteenth Street
Denver, CO 80202-2466

Regional Administrator
United States Environmental Protection Agency
Region IX, 215 Fremont Street
San Francisco, CA 94105

Regional Administrator
United States Environmental Protection Agency
Region X, 1200 Sixth Avenue
Seattle, WA 98101

Item 20. Facility owner or operator: certification of receipt of hazardous materials covered by this manifest except as noted in item 19

Print or type the name of the person accepting the waste on behalf of the owner or operator of the facility. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

Items A-K are not required by federal regulations for intrastate or interstate transportation. However, states may require generators and owners or operators of treatment, storage, or disposal facilities to complete some or all of items A-K as part of state manifest reporting requirements. Generators and owners and operators of treatment, storage, or disposal facilities are advised to contact state officials for guidance on completing the shaded areas of the manifest.

Read all instructions before completing this form.

This form has been designed for use on a 12-pitch (elite) typewriter; a firm point pen may also be used - press down hard.

This form must be used as a continuation sheet to United States Environmental Protection Agency Form 8700-22 if:

More than two transporters are to be used to transport the waste.

More space is required for the United States Department of Transportation description and related information in item 11 of United States Environmental Protection Agency Form 8700-22.

State regulations require generators and transporters of hazardous waste and owners or operators of hazardous waste treatment, storage, or disposal facilities to use the Uniform Hazardous Waste Manifest (Environmental Protection Agency Form 8700-22) and, if necessary, this continuation sheet (Environmental Protection Agency Form 8700-22A) for both interstate and intrastate transportation.

GENERATORS

Item 21. Generator's state/environmental protection agency identification number - Manifest document number

Enter the generator's state/Environmental Protection Agency twelve-digit identification number and the unique five-digit number assigned to this manifest (for example, 00001) as it appears in item 1 on the first page of the manifest.

Item 22. Page _____

Enter the page number of this continuation sheet.

Item 23. Generator's name

Enter the generator's name as it appears in item 3 on the first page of the manifest.

Item 24. Transporter - Company name

If additional transporters are used to transport the waste described on this manifest, enter the company name of each additional transporter in the order in

which they will transport the waste. Enter after the word "Transporter" the order of the transporter. For example, Transporter 3 Company Name. Each continuation sheet will record the names of two additional transporters.

Item 25. State/environmental protection agency identification number

Enter the state/Environmental Protection Agency twelve-digit identification number of the transporter described in item 24.

Item 26. Transporter - Company name

If additional transporters are used to transport the waste described on this manifest, enter the company name of each additional transporter in the order in which they will transport the waste. Enter after the word "Transporter" the order of the transporter. For example, Transporter 4 Company Name. Each continuation sheet will record the names of two additional transporters.

Item 27. State/environmental protection agency identification number

Enter the state/Environmental Protection Agency twelve-digit identification number of the transporter described in item 26.

Item 28. United States department of transportation description including proper shipping name, hazardous class, and identification number (UN/NA)

Refer to item 11.

Item 29. Containers (number and type)

Refer to item 12.

Item 30. Total quantity

Refer to item 13.

Item 31. Unit weight/volume)

Refer to item 14.

Item 32. Special handling instructions

Generators may use this space to indicate special transportation, treatment, storage, or disposal information or bill of lading information. States are not authorized to require additional, new, or different information in this space.

* * * * *

TRANSPORTERS

Item 33. Transporter - Acknowledgment of receipt of materials

Enter the same number of the transporter as identified in item 24. Enter also the name of the person accepting the waste on behalf of the transporter (company name) identified in item 24. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

Item 34. Transporter - Acknowledgment of receipt of materials

Enter the same number as identified in item 26. Enter also the name of the person accepting the waste on behalf of the transporter (company name) identified in item 26. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

* * * * *

OWNERS AND OPERATORS OF TREATMENT, STORAGE, OR DISPOSAL FACILITIES**Item 35. Discrepancy indication space**

Refer to item 19.

Items L-R are not required by federal regulations for intrastate or interstate transportation. However, states may require generators and owners or operators of treatment, storage, or disposal facilities to complete some or all of items L-R as part of state manifest reporting requirements. Generators and owners and operators of treatment, storage, or disposal facilities are advised to contact state officials for guidance on completing the shaded areas of the manifest.

APPENDIX I (continued)
Uniform Hazardous Waste Manifest Form Example - Page 1 of 2

Uniform Hazardous Waste Manifest		1. Generator's U.S. EPA ID	No. Manifest Document No.	2. Page 1 of	Information in shaded areas is not required by law	
3. Generator's Name and Mailing Address				A. State Manifest Document Number		
4. Generator's Phone ()				B. State Generator's ID		
5. Transporter 1 Company Name		6. US EPA ID Number		C. State Transporter's ID		
				D. Transporter's Phone		
7. Transporter 2 Company Name		8. US EPA ID Number		E. State Transporter's ID		
9. Designated Facility Name and Site Address		10. US EPA ID Number		F. Transporter's Phone		
				G. State Facility's ID		
				H. Facility's Phone		
11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)		12. Container No. Type	13. Total Quantity	14. Unit Weight	15. Waste No.	
a.						
b.						
c.						
d.						
16. Additional Description for Materials Listed Above.			17. Handling Codes for Wastes Listed Above.			
18. Special Handling Instruction and Additional Information.						
<p>19. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international government regulations.</p> <p>If I am a large quantity generator I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment. OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.</p>						
Printed/Typed Name		Signature		Month Day Year		
20. Transporter 1 Acknowledgement of Receipt of Materials.						
Printed/Typed Name		Signature		Month Day Year		
21. Transporter 2 Acknowledgement of Receipt of Materials						
Printed/Typed Name		Signature		Month Day Year		
22. Discrepancy Indication Space						
23. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.						
Printed/Typed Name		Signature		Month Day Year		

APPENDIX I (continued)
Hazardous Waste Manifest Form Example - Page 2 of 2

Please print or type. (Form designed for use on 4114 (12-inch) typewriter)

Uniform Hazardous Waste Manifest (Continuation Sheet)		21. Generator's US EPA ID Number	Manifest Document No.	22. Page	Information in shaded areas is not required by law	
5. Generator's Name and Mailing Address				L. State Manifest Document Number		
4. Generator's Phone ()				M. State Generator's ID		
24. Transporter Company Name		25. US EPA ID Number		N. State Transporter's ID		
				O. Transporter's Phone		
26. Transporter Company Name		27. US EPA ID Number		P. State Transporter's ID		
				Q. Transporter's Phone		
23. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)		29. Containers No	Type	30. Total Quantity	31. Unit Wt/Vol	32. Waste No.
a.						
b.						
c.						
d.						
e.						
f.						
g.						
h.						
i.						
8. Additional Description for Materials Listed Above.				J. Handling Codes for Wastes Listed Above.		
33. Special Handling Instruction and Additional Information.						
34. Transporter Acknowledgement of Receipt of Materials.						
Printed/Typed Name				Signature		Month Day Year
35. Transporter Acknowledgement of Receipt of Materials.						
Printed/Typed Name				Signature		Month Day Year
36. Discrepancy Indication Space						